



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities."

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, Arizona 85003

FORMAL MEETING MINUTES

BOARD OF SUPERVISORS MARICOPA COUNTY, ARIZONA

(and the Boards of Directors of the Flood Control District, Library District, Stadium District, Improvement Districts and/or Board of Deposit)

Table of Contents

<u>Board</u>	<u>Page</u>
Board of Supervisors	1
Improvement District	36
Flood Control District	37
Library District	39
Stadium District	40
Board of Deposit	No Meeting

**Wednesday, October 21, 2009
9:00 AM**

1. INVOCATION

Denise Heap, Mesa Leadership Group, gave the invocation.

2. PLEDGE OF ALLEGIANCE

Leo Archer, Mesa Leadership Group, led the assemblage in the Pledge to the Flag.

3. ROLL CALL

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, October 21, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Max Wilson, Chairman, District 4. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL

Aprille Hollis introduced today's pet, Matilda, a 10 year old Schnauzer mix who likes to go for walks and snuggle in your lap afterwards. Matilda is \$50 today. To learn more call 602-506-7387. Ms. Hollis reminded viewers that October is shelter dog month and all dogs cost only \$50 and cats are \$25. This price also includes a dog license, rabies shots and spaying prior to adoption.

PRESENTATIONS

5. BEST OF PHOENIX CUSTOMER SERVICE EXCELLENCE AWARD

Presentation to the Clerk of the Superior Court's Office for receipt of the Best of Phoenix Customer Service Excellence Award. (C-20-10-015-P-00)

Chairman Stapley read the inscription on the Phoenix New Times Best of Phoenix award plaque that was presented to the Clerk of the Court, Michael Jeanes, to the Court's Records Room staff for the best Customer Service in 2009. Mr. Jeanes said he awakes each morning giving thanks for all of his staff in the Clerk's office.

STATUTORY HEARINGS

Clerk of the Board

6. LIQUOR LICENSE APPLICATIONS

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

a. NEW LICENSE FOR A&N MARKET

Pursuant to A.R.S. § 4-201, approve an application filed by Crystal Hannosh for a New Series 10 Liquor License for A&N Market at 8601 E. Apache Trail, Mesa, AZ 85207 (AZ 10075850) (Supervisory District 2) (C-06-10-131-L-00)

The Clerk announced that this item needed to be continued to the November 4, 2009, meeting.

Motion to continue to November 4, 2009, by: Supervisor Wilcox, Seconded by:
Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

b. NEW LICENSE FOR EL RICO'S MEXICAN RESTAURANT

Pursuant to A.R.S. § 4-201, approve an application filed by Theresa June Morse for a New Series (12) Liquor License for El Rico's Mexican Restaurant at 25728 S. Power Road, Chandler Heights, AZ 85242. (AZ 12078128) (Supervisory District 1) (C-06-10-126-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Wilcox
Nays: Brock
Absent: Wilson

c. NEW LICENSE FOR RIO VALLEY MARKET

Pursuant to A.R.S. § 4-201, approve an application filed by Francisco Javier Enriquez-Salazar for a New Series 10 Liquor License for Rio Valley Market at 315 S. 515th Avenue #A, Tonopah, AZ 85354. (AZ 10075858) (Supervisory District 5) (C-06-10-128-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Wilcox
Nays: Brock
Absent: Wilson

d. PERSON TRANSFER FOR RIO CANTINA

Pursuant to A.R.S. § 4-203, approve an application for a Person Transfer of a Series 7 Liquor License from Francisco Javier Enriquez-Salazar to Valley of the Sun, Inc. for Rio Cantina at 315 S. 515th Avenue #B, Tonopah, AZ 85354. (AZ 07070333) (Supervisory District 5) (C-06-10-127-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Wilcox
Nays: Brock
Absent: Wilson

Public Works

7. ROAD FILE DECLARATIONS

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

a. ROAD FILE NO. A-421

Road File No. A-421, said alignment is also known as MC85 from Apache Road to Baseline Road, lying within Supervisor District No. 2. (C-91-10-033-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

b. ROAD FILE NO. A-422

Road File No. A-422, said alignment is also known as Mary Street from Gilbert Drive to Curry Road lying within Supervisor District No. 1. (C-91-10-035-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

c. ROAD FILE NO. A-423

Road File No. A423, said alignment is also known as Deer Valley Road from 117th Avenue to Lake Pleasant Parkway and Williams Drive from El Mirage Road to 117th Avenue, lying within Supervisor District No. 4. (C-91-10-034-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Court

8. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR PURCHASE OF SCANNER SYSTEMS

Approve an exception to the Technology Finance Program (TFP) to allow the Clerk of the Superior Court (160) to purchase four replacement scanner systems through a one-time expenditure from the Clerk of the Court's Electronic Document Management Fund (274) Non-recurring (0001). The estimated cost of this equipment is \$53,000 for purchase during FY 2010. The equipment will be used to provide the official electronic record by affording unalterable copies of the electronic records.

The existing scanner equipment has reached its end of life and will no longer be supported by the equipment manufacturer or the scanning software manufacturer. Replacement systems will allow for the upgrade of the OnBase document imaging software to a current version, which is not compatible with the Kofax software. (C-16-10-001-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

County Attorney

9. GRANT FUNDING FROM ARIZONA ATTORNEY GENERAL FOR VICTIMS' RIGHTS

Approve receipt of FY 2009-10 grant funds from the State of Arizona, Office of the Attorney General, in the amount of \$513,400. These grant funds are to be used to support the direct costs of implementing victims' rights laws pursuant to Arizona Revised Statutes Title 13, Chapter 40 and Title 8, Chapter 3, Article 7 impacting prosecutorial agencies as an entity type. This agreement will commence on July 1, 2009 and terminate on June 30, 2010. In accordance with Victims' Rights Program Guidelines, Section IV, page 5, the grant allows a 0% rate for indirect costs, or \$0 that may be incurred by the County Attorney's Office of Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 14.4%, or \$73,930. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$73,930. Authorize the Chairman of the Board of Supervisors, or designee, to sign all documents related to this award. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law.

This award agreement is in the amount of \$513,400. This award will be used to support one 1.0 FTE Legal Support Assistant (PCN 17260) and ten 1.0 FTE Advocates (PCN 11755, 15625, 16279, 16280, 16281, 16287, 17259, 19720, 32411, 64537). This award will ensure that victims of crime are notified of the progress of criminal proceedings. This grant will expire at the end of the agreement. There is no long term expectation of continued funding for this grant; however, the County Attorney's Office has been receiving grant funds from the Attorney General's office for victim services since FY 1996-97, the most recent award was for FY 2008-09 in the amount of \$521,350. (C-19-10-010-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

10. GRANT FOR NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM AND EXCEPTION TO PURCHASING FREEZE AND TECHNOLOGY FINANCE PROGRAM

1. Approve receipt of grant funds from the Arizona Criminal Justice Commission (ACJC) for the National Criminal History Improvement Program in the amount of \$265,880. These grant funds are provided to enhance efforts to improve criminal history records and information. This grant agreement, ACJC number NCP-10-116, will commence on October 1, 2009 and will terminate on September 30, 2010. In accordance with the agreement, paragraph 26, these funds will not be used for any indirect or administrative costs that may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. Thus, the grant allows a 0% rate for indirect costs, or \$0 that may be incurred for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 14.4%, or \$38,287. The recoverable

indirect cost of administering this grant is \$0 and the non-recoverable indirect cost is \$38,287. The Maricopa County Attorney recognizes that acceptance of these funds requires local match participation of 20% or \$66,470 which will come from a portion of the salaries and benefits of FY 2009-2010 funded positions appropriated in the County Attorney's (190) General Fund (100) and Fill the Gap fund (221). Authorize the Chairman of the Board of Supervisors, or designee, to sign all documents related to this award. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law.

2. Approve an exception to the Maricopa County purchasing freeze and the Technology Finance Program (TFP) to allow the County Attorney to purchase two servers, one virtual array, and hard drives to be used in conjunction with the re-design on the County Attorney disposition reporting system. The servers will be purchased using a portion of the funding received through this grant. The blade servers, accompanying software and accessories are compatible with the County platform. This is a one-time grant-funded purchases and no future automatic replacement of these blade servers from the general fund will be expected by the County Attorney.

This award agreement is in the amount of \$332,350 and is comprised of \$265,880 in Federal dollars awarded to the Arizona Criminal Justice Commission by the U. S. Department of Justice under CFDA 16.554, and award number 2009-RU-BX-K037, and \$66,470 in local match. These funds will be used to enhance and upgrade the County Attorney's existing computerized criminal history disposition system. The matching funds will come from a portion of the salaries and benefits of PCN 16090 appropriated in the County Attorney's (195) Fill the Gap Fund (221), and PCNs 19382 and 33565 in the County Attorney's (190) General Fund (100). This grant will expire at the end of the award period unless prior written approval for an extension has been obtained from the Arizona Criminal Justice Commission. Payment of these grant funds are conditioned upon the availability of funds appropriated for the payment of such obligation.

Approval of the purchasing freeze and TFP exemption for the purchase of the blade servers will allow the County Attorney to replace an old and obsolete PA-RISC based server. Replacing it is imperative, as it's end of life is approaching. The new server will provide far greater performance and will support an anticipated higher user load. (C-19-10-011-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

11. ~~APPOINTMENTS OF SPECIAL PROSECUTORS~~

~~Approve the official appointments of Joseph E. diGenova, David Eisenberg, and Victoria Toensing, as Independent Special Deputy County Attorneys.~~

~~Appointment is effective as of October 8, 2009 and shall remain in effect until revoked. Item withdrawn pursuant to legal advice. Please see Addendum item A-5. (C-19-10-013-9-00)~~

This item has been withdrawn.

Sheriff

12. AMENDMENT TO THE SUBGRANTEE AGREEMENT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – #444207-01

Approve Amendment No. 1 to the Subgrantee Agreement from the Arizona Department of Homeland Security, Project Number: 444207-01. This amendment extends the expiration date of the Agreement from September 30, 2009 until December 31, 2009. The original Agreement was approved by the Board of Supervisors on December 3, 2008, (C-50-09-034-G-00) with term of October 1, 2008 through September 30, 2009.

This amendment is in term only no additional funds. (C-50-09-034-G-01)

Blue Crowley referencing all the Homeland Security items under the Sheriff's portion of the agenda quoted Sheriff Arpaio in a recent TV interview in a statement Mr. Crowley felt reflected racial profiling. He asked the Board to rein in Sheriff Arpaio.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

13. AMENDMENT TO THE SUBGRANTEE AGREEMENT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – #444817-03

Approve Amendment No. 1 to the Subgrantee Agreement from the Arizona Department of Homeland Security, Project Number: 444817-03. This amendment extends the expiration date of the Agreement from September 30, 2009 until December 31, 2009. The original Agreement was approved by the Board of Supervisors on November 18, 2008, (C-50-09-037-G-00) with term of October 1, 2008 through September 30, 2009.

This amendment is in term only no additional funds. (C-50-09-037-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

14. AMENDMENT TO THE SUBGRANTEE AGREEMENT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – #444817-02

Approve Amendment No.1 to the Subgrantee Agreement from the Arizona Department of Homeland Security, Project Number: 444817-02. This amendment extends the expiration date of the agreement from September 30, 2009 until December 31, 2009. The original agreement was approved by the Board of Supervisors on November 18, 2008, (C-50-09-036-G-00) with term of October 1, 2008 through September 30, 2009.

This amendment is in term only no additional funds. (C-50-09-036-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

15. AMENDMENT TO THE SUBGRANTEE AGREEMENT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – #444817-05

Approve Amendment No. 1 to the Subgrantee Agreement from the Arizona Department of Homeland Security, Project Number: 444817-05. This amendment extends the expiration date of the agreement from September 30, 2009 until December 31, 2009. The original agreement was approved by the Board of Supervisors on November 18, 2008, (C-50-09-039-G-00) with term of October 1, 2008 through September 30, 2009.

This amendment pertains only to the term and no additional funds have been awarded. (C-50-09-039-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

16. AMENDMENT TO THE SUBGRANTEE AGREEMENT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – #444817-07

Approve Amendment No. 1 to the Subgrantee Agreement from the Arizona Department of Homeland Security, Project Number: 444817-07. This amendment extends the expiration date of the agreement from September 30, 2009 until December 31, 2009. The original agreement was approved by the Board of Supervisors on November 18, 2008, (C-50-09-042-G-00) with term of October 1, 2008 through September 30, 2009.

This amendment is for the term only and there are no additional funds awarded. (C-50-09-042-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

17. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2009 HOMELAND SECURITY GRANT PROGRAM PROJECT, INCIDENT ON SCENE VIDEO

Approve the Agreement with the Arizona Department of Homeland Security for the 2009 Homeland Security Grant Program, Incident on Scene Video Project # 555208-01 and acceptance of up to \$38,524. The term of the agreement is October 1, 2009 thru September 30, 2010.

Also, approve an exception to the Technology Finance Program (TFP) for the one-time purchase of specialty video equipment.

The Sheriff's Office indirect cost rate for FY2010 is 16.6% (\$6,394.98). Unrecoverable indirect costs associated with this agreement are estimated to be \$2,846.73. There will be capital equipment purchases, valued at \$21,375 that are excluded from the indirect cost calculation. (C-50-10-047-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

18. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2009 HOMELAND SECURITY GRANT PROGRAM PROJECT, MARICOPA COUNTY SHERIFF'S OFFICE BOMB SQUAD ROBOT

Approve the Agreement with the Arizona Department of Homeland Security for the 2009 Homeland Security Grant Program, MCSO Bomb Squad Robot (Project # 555208-04) and acceptance of up to \$229,316. The term of the agreement is October 1, 2009 through September 30, 2010.

Also, approve an exception to the Technology Finance Program (TFP) for the one-time purchase of two different robots and robotic equipment upgrades for an existing ANDROS robot.

Approval of this item will generate requests for sole source action due to the highly specialized nature of the equipment.

The Sheriff's Office indirect cost rate for FY2010 is 16.6% (\$38,066.46). This is a capital equipment purchase, valued at \$229,316 and there are no indirect costs associated with this funding. (C-50-10-048-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

19. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2009 HOMELAND SECURITY GRANT PROGRAM PROJECT, PERSONAL RADIATION MONITOR PROJECT

Approve the Agreement with the Arizona Department of Homeland Security for the 2009 Homeland Security Grant Program, Personal Radiation Monitor Project (Project # 555208-05), and acceptance of up to \$61,337. The term of the Agreement is October 1, 2009 through September 30, 2010.

Also, approve an exception to the Technology Finance Program (TFP) for the one-time purchase of specialty software to ensure the necessary calibration of the investment.

The Sheriff's Office indirect cost rate for FY2010 is 16.6%. Unrecoverable indirect costs associated with this agreement are estimated to be \$10,181.94. (C-50-10-049-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

20. AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2009 HOMELAND SECURITY GRANT PROGRAM PROJECT, TACTICAL MOBILE-DATA ACCESS VEHICLE

Approve the Agreement with the Arizona Department of Homeland Security for the 2009 Homeland Security Grant Program, Tactical Mobile-Data Access Vehicle (Project # 555208-03), and acceptance of up to \$252,613. The term of the agreement is October 1, 2009 thru September 30, 2010.

Also, approve a one-time addition to the fleet of one Tactical Mobile-Data Access Vehicle/Van that was specifically requested through this funding to provide intelligence

support for incident commands.

Finally, approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to proceed with the purchase of items to include but not limited to: laptops/workstations, hardware, printers and mobile and portable radios.

The Sheriff's Office indirect cost rate for FY2010 is 16.6% (\$41,933.76). Unrecoverable indirect costs associated with this agreement are estimated to be \$4,517.36. There will be capital equipment purchases, valued at \$225,400 that are excluded from the indirect cost calculation.

The estimated annual operating costs of this vehicle is \$3,000 to be supported through the Technology Bureau, Telecommunications Technology; General Fund (100). This is a one-time addition to the fleet and the vehicle will be retired at the end of its useful life with no funding from the general fund for its replacement. (C-50-10-050-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

21. ADDITION TO FLEET OF GRANT-FUNDED CUSTOMIZED PONTOON STYLE WATERCRAFT FOR HOMELAND SECURITY INFRASTRUCTURE PROTECTION

Approve a one-time addition to fleet of a Homeland Security grant-funded customized pontoon style watercraft that will be equipped with chemical biological radiological and nuclear explosive detection and response devices. This addition to fleet includes its trailer, outboard engines, and lighting.

The funding award for this item was approved in agenda item C-50-10-006-G-00, on August 5, 2009. It is part of a Homeland Security program that funds protection for critical infrastructure [project # 444207-03 in the buffer zone protection plan (BZPP)], Horseshoe Dam.

The estimated value of this addition to fleet is \$115,830, which was included in the financial impact for the original agenda item. Its annual operating costs are estimated to be \$7,500 to be funded from future grant sustainment funds or boating and law enforcement grant funds. This is a one-time addition to fleet with no automatic funding from the general fund for its replacement. (C-50-10-051-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Treasurer

22. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORTS

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for August 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-10-004-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox

Absent: Wilson

JUDICIAL BRANCH

Adult Probation

23. ADDITION TO THE FLEET OF EIGHT VEHICLES

Approve a one-time addition to the fleet of eight 2009 Chevrolet Impalas numbers 52901, 52902, 52903, 52904, 52905, 52906, 52910, and 52910. Approval of this item will provide vehicles for Surveillance Officers funded by two Recovery Act grants which currently expire on June 30, 2011 and July 31, 2011 but may be extended. These are one-time additions to the fleet and the vehicles will be retired at the end of their useful lives with no funding from the general fund for their replacement.

Also approve an exemption from markings and the issuance of non-government license plates per A.R.S. 38-538-03 because these vehicles will be used to apprehend probation fugitives. Markings are detrimental to the mission and create an increased safety risk to the officer and the community. The vehicle information, including make, model, year, color and VIN number will be provided to the Clerk of the Board upon approval of this agenda.

The operational costs for these vehicles will be absorbed into Adult Probation's existing budget.

These will be take home vehicles because fugitive apprehension is not a regularly scheduled assignment with set hours.

On August 5, 2009 agenda C-11-10-001-G-00 was approved by the Board of Supervisors. On October 7, 2009, agenda C-11-10-004-G-00 was also approved. These agendas approved the acceptance of two Recovery Act grants which provided funds for a total of eight growth Surveillance Officer positions. These Surveillance Officers are assigned to the apprehension of probation felony absconders and newly-released probationers from the Department of Corrections who have absconded. (C-11-10-005-V-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

COUNTY MANAGER

Public Defender

24. FELLOWSHIP GRANT WITH SNELL & WILMER

Approve the application and acceptance of an ongoing grant agreement with Snell & Wilmer Law Firm for an attorney fellowship program. The Public Defender's Office (MCPD), if approved for this action, would have "Fellow" attorney(s) assigned from Snell & Wilmer. The Fellows will be treated as employees of Snell & Wilmer for purposes of compensation and benefits. In providing services to the MCPD, the Fellows shall be deemed to be employees of the Public Defender's Office.

An experienced attorney employed by the MCPD will serve as the supervisor and mentor for

Fellows provided by Snell and Wilmer. All services to be provided by the Fellows shall be performed under the direct supervision, direction, and control of the MCPD supervising attorney.

Suitable office space and administrative and other support services will be provided by MCPD for the Fellows.

The Fellows shall be subject to all of the MCPD employment policies, procedures, and practices except as provided with respect to compensation and benefits and as otherwise determined by MCPD.

MCPD shall cover the Fellows and the services provided by the Fellows under any malpractice insurance policies of MCPD on the same basis as an attorney employed solely by MCPD.

The program inception begins on December 1, 2009 and ends on November 30, 2010 (the "Assignment Term") and may be terminated for any or no reason, with 30 days advance written notice by MCPD, the Fellows, or Snell & Wilmer. Upon agreement between the Firm and the Grantee, this agreement may be renewed for one-year extensions. Approval of this agenda item will serve as ongoing Board authorization and acceptance of the renewal provisions of the agreement.

This program will provide MCPD with an attorney or attorneys able to assist in the business of MCPD at no cost to MCPD or Maricopa County. Those attorneys will be compensated by Snell and Wilmer in exchange for the training of the attorneys by MCPD. Both parties to the agreement will receive benefit from the agreement.

There are no costs associated with this grant agreement; therefore there is no need for recovery of indirect costs. (C-52-10-004-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Public Fiduciary

25. APPOINTMENT OF PUBLIC FIDUCIARY

Pursuant to A.R.S. §14-5601A and the Arizona Code Of Judicial Administration SEC. 7-202E(2)(D), approve, by Resolution, the appointment of Silvia R. Arellano as the Maricopa County Public Fiduciary. The term of the appointment will be effective November 2, 2009.

With this appointment, the current acting Public Fiduciary, Susan A. Cooper, will return to her position as Guardian Administrator Supervisor in the Office of the Public Fiduciary.

With this appointment, Ms. Arellano will also become the Director of the Office of the Public Fiduciary. (C-34-09-002-6-02)

Supervisor Wilcox commented on the benefits of having a retired supreme court judge as the County's Public Fiduciary feeling that Ms. Arellano would bring the judgment gleaned as a judge to benefit her new job as well.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

DEPUTY COUNTY MANAGER

Public Health

26. PURCHASE ORDER FROM ARIZONA DEPARTMENT OF HEALTH SERVICES FOR EMERGENCY PREPAREDNESS AND RESPONSE PROGRAM

Approve the Purchase Order (EOH32961) from Arizona Department of Health Services (ADHS) to Maricopa County through its Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) (HG754199) for the Office of Preparedness and Response (OPR). This purchase order funds activities related to Public Health Emergency Preparedness. The purchase order allows to encumber in full a not-to-exceed \$8,832 for the budget period starting September 1, 2009 through August 30, 2010.

The Department of Public Health indirect rate for FY 2009-10 is 19.5%. This is a supplemental Purchase Order (PO) to cover storage cost of warehousing alternative care supplies for a full year and indirect cost is not factored in the calculation of grant award; therefore indirect costs are not allowable for this specific PO.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from ADHS and does not affect the County's general fund.

The MCDPH, Office of Preparedness Response was previously known as the Maricopa Department of Public Health Emergency Management Program (PHEM). (C-86-07-050-2-09)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

27. IGA WITH BALSZ SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Balsz School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$5,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-042-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

28. IGA WITH BUCKEYE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Buckeye Elementary School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$6,000 for budget

period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-043-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

29. IGA WITH WASHINGTON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Washington School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$24,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-041-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

30. PURCHASE ORDER FROM ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PUBLIC HEALTH EMERGENCY RESPONSE H1N1

Approve the Purchase Order (EOH33074) from Arizona Department of Health Services (ADHS) to Maricopa County through its Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) (HG754199) for the Office of Preparedness and Response (OPR). This purchase order funds activities related to Public Health Emergency Response H1N1 Focus Area One. The purchase order allows to encumber in full a not-to-exceed \$3,291,074.92 for the budget period starting August 1, 2009 through July 31, 2010.

The Department of Public Health indirect rate for FY 2009-10 is 19.5%. Full indirect is allowed, therefore \$537,037.33 is allowable.

Approve increases in the FY 2009-10 appropriated budget for Public Health (860) Public Health Grant Fund (532) Operating (0000) revenues and expenditures in the amount of \$2,742,562 for the portion of the Purchase Order related to FY 2009-10.

Funds for this IGA are provided by a grant from ADHS and do not affect the County's general fund. The MCDPH, Office of Preparedness Response was previously known as the Maricopa Department of Public Health Emergency Management Program (PHEM). (C-86-07-050-2-10)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

31. CONTRACT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR ARIZONA NUTRITION NETWORK – LOCAL INCENTIVE AWARD PROGRAM

Approve Contract No. HI050071 between Arizona Department of Health Services (ADHS) and Maricopa County by and through its Department of Public Health to provide funding for the Arizona Nutrition Network – Local Incentive Award program. The term of the Contract shall commence upon signature of both parties and shall remain in effect for three years unless terminated, canceled or extended as otherwise provided herein. This budget period is from October 1, 2009 through September 30, 2010. The price sheet total is for \$246,591.

The Department of Public Health's indirect rate for FY 2009-10 is 19.5%. The indirect expenses are fully recoverable for a total of \$40,239.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by ADHS and do not affect the County's general fund. (C-86-10-044-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

32. AMENDMENT TO LEASE AGREEMENT WITH UNIVERSITY CENTRAL CENTER CORP DBA POLLACK PLAZA FOR WIC CHANDLER CLINIC SITE

Approve and execute "Receipt of Option Notification" to exercise the County's option to renew the current Lease Agreement as stated at article 11 of the original Lease Agreement number L-7251, 3002 North Arizona Avenue, Suites 14-16, Chandler, Arizona with University Central Center Corp., DBA Pollack Plaza as Lessor. The Lease renewal shall commence on April 1, 2010 and terminate on March 31, 2013. The rental rate during the renewal term of 36 months shall remain the same at \$16.50 a square foot or an annual cost of \$41,580.00 plus rental tax. The Lease Agreement contains a six month hold over clause. (C-86-05-915-4-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

33. ADDITIONAL GRANT FUNDING THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT FOR INCREASE SERVICES TO HEALTH CENTERS PROGRAM

Approve and accept additional grant funding through the American Recovery and Reinvestment Act (ARRA) of 2009 in the amount of \$1,000 from Department of Health and Human Services Health Resources and Services Administration to Maricopa County through its Department of Public Health for ARRA – Increase Services to Health Centers. The budget total will increase by \$1,000, bringing the total from \$237,718 to \$238,718. The term of the grant is from March 27, 2009 through March 26, 2011.

The Maricopa County Department of Public Health FY 2009 indirect rate is 18%. Therefore, the recoverable indirect cost of administering the grant is \$153 is recoverable and \$13 is unrecoverable.

Funding for this contract is provided by Federal Recovery Funds through a grant from HRSA and will not affect the County General fund. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation (C-86-09-061-G-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

ASSISTANT COUNTY MANAGER – COMMUNITY COLLABORATION

Human Services

34. TERMINATION OF CONTRACT WITH ARIZONA HOSPITAL AND HEALTHCARE ASSOCIATION

Approve the termination of the contract between Arizona Hospital and Healthcare Association (AzHHA), on behalf of its Healthcare Institute (HCI) Workforce Data Center, and Maricopa County administered by its Human Services Department (C-22-07-107-1). AzHHA has notified the County in writing of their intent to terminate the contract. The effective date of the contract termination is November 9, 2009.

AzHHA has experienced a reduction in force due to loss of funding and is unable to fulfill its final year (year three) contractual obligations.

The remaining contract amount is \$50,000. This expenditure was not included in the FY2010 budget therefore there will be no fiscal impact. Notification to terminate the contract has been sent to AzHHA.

Pursuant to the Contract's General Provisions: I. Termination: 'Either party may terminate this Contract at any time, with 60 days notice in writing to the other party (unless terminated by the Board of Supervisors under Availability of Funds provisions). Such notice shall be given by personal delivery or by Registered or Certified mail.' According to this termination provision, proper written notification has been given. (C-22-07-107-1-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

35. MEMORANDUM OF UNDERSTANDING WITH HOUSE OF REFUGE FOR DEVELOPMENT OF AN ACCESS POINT

Approve the Memorandum of Understanding (MOU) between House of Refuge, a faith-based organization, and Maricopa County administered by its Human Services Department to establish House of Refuge as an Access Point for purposes of Workforce Development activities. This non-financial MOU is effective upon signature by both parties and will expire December 31, 2011.

Access Points are a network of faith-based and community based organizations that provide residents with a location where job seekers can access abbreviated One Stop Career Center services. As an Access Point, House of Refuge will assist youth and adult job seekers access employment-related services to assist them in obtaining employment. This MOU will create a partnership enabling Maricopa County residents that are unable to travel to a One Stop Career Center, the ability to access services through an Access Point that is located in the community. (C-22-10-030-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

36. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT WITH GREATER PHOENIX CONVENTION AND VISITORS BUREAU

Approve a Contract between Greater Phoenix Convention and Visitors Bureau and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$250,000. The purpose of this Contract is to provide FY 2009-10 nonprofit economic development funding to the Greater Phoenix Convention and Visitors Bureau for purposes to include conducting familiarization trips for meeting planners considering booking conventions in the metro area; conducting sales missions to major cities to familiarize the selected markets; focusing on attracting “express” meetings market and multi-cultural organization meetings and conventions; developing and conducting a marketing campaign; highlighting Chase Field, or other county-owned sites in the Meeting Professional Guide; and other related activities. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-014-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Medical Examiner

37. ~~AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH YAVAPAI COUNTY~~

~~Approve Amendment No. 1 to an Intergovernmental Agreement (IGA) between Yavapai County and Maricopa County through the Office of Medical Examiner in the not to exceed amount of \$25,000. The purpose of this amendment is to revise the language in the original agreement. This amendment is effective from October 21, 2009 to June 30, 2011. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect. Item withdrawn (C-29-10-002-3-01)~~

~~This item has been withdrawn.~~

Parks and Recreation

38. FIRST AMENDED AND RESTATED IGA WITH CITY OF PEORIA

Approve the First Amended and Restated Intergovernmental Agreement (IGA) between Maricopa County (County) and the City of Peoria (Peoria) as originally approved by both Parties on December 20, 2006 (“2006 Agreement”) (C-30-07-007-2-00) for shared responsibilities at Lake Pleasant Regional Park (LPRP). The term of the First Amended and Restated IGA is for a period of fourteen years with two additional renewal options of ten years each upon mutual agreement of County and Peoria. There is no financial impact.

The County and Peoria now desire and agree to amend and restate the 2006 Agreement in its entirety for the purposes of reassigning to Peoria responsibility for the administration and enforcement of development requirements for private or commercial development by the County’s lessees, concessionaires, licensees, and agents that occurs within LPRP and to further detail Peoria’s responsibilities in regard to the provision of fire protection and emergency medical services. (C-30-07-007-2-01)

Blue Crowley, citizen, pointed out that the City of Peoria annexed all the way into Lake Pleasant. He added he has continually requested this Board to “take over the RPTA’s job because the RPTA only looks at itself as a small region.” He said that Maricopa County is the size of almost all of New England and transportation should be available

to everyone throughout. He felt if a city annexes an area it should provide bus and other services to that area and Peoria does not do this.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

CHIEF FINANCIAL OFFICER

Finance

39. FUNDS TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

CHIEF PROCUREMENT OFFICER

Materials Management

40. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

a. 09076-S, INDIGENT BURIAL SERVICES

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09076-S

Item: Indigent Burial Services (\$750,000.00 estimate/three years until October 31, 2012, with three one-year renewal option) Three year contract for indigent burial services throughout Maricopa County.

ABEL Funeral Services, Inc.
Harper Funeral Home
La Paz Funeral Home (C-73-10-027-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

b. 06156-S, WORKER'S COMPENSATION MEDICAL BILL REVIEW SERVICES

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: October 21, 2009 (Effective April 01, 2010)

Serial: 06156-S

Item: Worker's Compensation Medical Bill Review Services – RM (\$544,000.00 estimate/three years until March 31, 2013) Recommendation for renewal for a three year period contract which provides worker's compensation medical bill review services to Risk Management, as requested by Risk Management. The contractor (Advantage WorkComp Services) has agreed to maintain fees/compensation as originally awarded.

Advantage Workcomp Services (C-73-10-028-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

c. 04071-C, JET A FUEL PURCHASE AND DELIVERY

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 04071-C

Item: Jet A Fuel Purchase and Delivery (\$70,000.00) Increase price agreement value from \$250,000.00 to \$320,000.00. Sheriff's Aviation requested \$70,000.00 be added to the value of the contract to cover increased fuel costs.

Western Petroleum Company (C-73-10-029-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

d. 06082-C, HELICOPTER / AIRCRAFT PARTS, ACCESSORIES & REPAIR SERVICE

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: October 21, 2009 (Effective 11/01/09)

Serial: 06082-C

Item: Helicopter / Aircraft Parts, Accessories & Repair Service (\$324,000.00 estimate/three years until October 31, 2012) Price agreement renewal to purchase helicopter/aircraft parts, accessories & repair service for use by the Sheriff's Office.

**Aero Products Component Service
Aeromarine America Inc.
Heliponents Inc. (C-73-10-030-7-00)**

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

e. 09038-S, PROCESS / HVAC WATER SYSTEMS TREATMENT

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09038-S

Item: Process / HVAC Water Systems Treatment (\$500,000.00 estimate/three years until October 31, 2012, with three one-year renewal option) Three year contract for a full-service maintenance Process/HVAC Water Treatment program for all Maricopa County systems.

Chem-Aqua Inc. (C-73-10-031-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

f. 06091-C, POLICE EQUIPMENT & SUPPLIES: GUNS, STUN/TASER & ACCESSORIES

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: October 1, 2009

Serial: 06091-C

Item: Police Equipment & Supplies: Guns, Stun/Taser & Accessories (\$810,000.00 estimate/three years until September 30, 2012) Contract renewal for Police Equipment & Supplies: Guns, Stun/Taser & Accessories is for three years.

Proforce Law Enforcement (C-73-10-032-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

41. TRANSFER EXPENDITURE AUTHORITY AND EXEMPTION TO TECHNOLOGY FINANCING PROGRAM FOR REPLACEMENT OF REPROGRAPHICS EQUIPMENT

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$32,372 from FY 2009-10 Non-Departmental (470) Non-Departmental Grant Fund (249) Non-Recurring/Non-Project (0001) line item "Potential Expenditures from Fund

Balance” to FY 2009-10 Materials Management (730) Reprographics Fund (673) Non-Recurring/Non-Project (0001).

Also, approve an exemption to the Technology Financing Program (TFP) to allow for the one-time purchase of capital equipment to replace equipment whose useful life is expiring. (C-73-10-033-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

ASSISTANT COUNTY MANAGER – REGIONAL DEVELOPMENT SERVICES

Air Quality Department

42. IGA WITH REGIONAL PUBLIC TRANSPORTATION AUTHORITY FOR TRAVEL REDUCTION SERVICES

Approve an Intergovernmental Agreement (IGA) between Regional Public Transportation Authority (RPTA) and Maricopa County through the Air Quality Department , in the not-to-exceed amount of \$200,000. This Intergovernmental Agreement is funded by a grant from Arizona Department of Environmental Quality, (C-85-06-028-3-04). The purpose of this Intergovernmental Agreement is to continue implementation of the Travel Reduction Program (TRP). This program is part of the State of Arizona Implementation Plan to improve air quality in Maricopa County and helps prevent federal government delays with issuance of highway funds to the State of Arizona. This Intergovernmental Agreement is effective from July 1, 2009 until December 31, 2009.

Indirect costs are not applicable to these pass-through funds.

This agreement is funded by Arizona Department of Environmental Quality. Due to FY2009-10 state budget constraints, ADEQ has authorized half of this year's funding and anticipates releasing full funding through an amendment. Once ADEQ issues full funding, Maricopa County Air Quality will request Board of Supervisors approval, through an agenda item, an increase to these pass-through funds to the full amount of \$400,000. (C-85-10-009-3-00)

Blue Crowley, citizen, voiced several complaints on the RPTA where he felt they were non-compliant in providing adequate services and he felt the Board should effect some changes through their representative on the Board.

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Emergency Management

43. AMENDMENT TO THE COMMUNITY WILDFIRE PROTECTION PLAN GRANT

Approve Amendment No. 1 to the State Forester Grant Contract No: WPP 08-005 for the Community Wildfire Protection Plan Grant , which extends the grant contract ending date from September 30, 2009 to September 30, 2010. All other provisions shall remain in their entirety.

The grant was awarded from the State Forester to Maricopa County through the Department of Emergency Management (MCDEM) for the completion of the Community Wildfire Protection Plan (CWPP) for western Maricopa County. (C-15-09-013-G-01)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Planning and Development

44. RESOLUTION FOR DEVELOPMENT AGREEMENT WITH 339TH AND I-10, LLC, R.A.M. ARIZONA HOMES WEST, LLC, AND HASSAYAMPA UTILITY COMPANY, INC.

Approve by Resolution of Adoption the Development Agreement with 339th & I-10, LLC, R.A.M. Arizona Homes West, LLC, Hassayampa Utility Company, Inc., and Maricopa County as required by stipulation "f" of Development Master Plan cases DMP 2006007 and DMP 2008006 for Hidden Waters Ranch. DMP 2006007 was approved on October 1, 2007 and DMP 2008006 was previously approved on January 14, 2009.

As a condition of the DMP approval, the applicant is required to enter into a development agreement with Maricopa County to address potential short – and long-term fiscal impacts to Maricopa County. This agreement must be approved by the Board of Supervisors prior to approval of any zone change associated with the DMP. The term of this agreement shall be ten years from the Board of Supervisors approval. This development agreement is to be recorded as required pursuant to ARS 11-1101. (Supervisory District 4) (C-44-10-031-M-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

ASSISTANT COUNTY MANAGER – PUBLIC WORKS

Public Works

45. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-145-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

46. AMENDMENT TO IGA WITH GILA RIVER INDIAN COMMUNITY (GRIC) FOR TRAFFIC SIGNAL OPERATION AND MAINTENANCE

Approve Amendment No. 2 to the Intergovernmental Agreement (IGA) between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the Gila River Indian Community (GRIC) for the operation and maintenance of several traffic signals that lie within GRIC. The GRIC will annually remit payment to the County all costs

associated with the operation, maintenance and replacement of all associated equipment.

The purpose of this amendment is to identify and define the responsibilities of the County and GRIC for operation, maintenance and costs for seven GRIC owned traffic signals that lie within its jurisdiction. These traffic signals include the following intersection locations: Wild Horse Pass Road & Maricopa Road, Allison Road & Maricopa Road, Sundust Road & 56th Street, Allison Road & 56th Street, Wild Horse Pass Boulevard & 48th Street, Wild Horse Pass Boulevard & Maricopa Road, and Kyrene Road @ Lone Butte Casino Entrance.

The County will be responsible to perform routine and emergency operation and maintenance of the identified traffic signals, as well as repair and replacement of damaged equipment, and will invoice the GRIC annually for all costs associated with this work. The GRIC will allow the County to properly operate and maintain these signals and will remit payment within 30 days of receipt of the County's invoice.

It is the County's policy to maintain no more than seven signals within any area outside of its own jurisdiction. Since this number has been reached, both parties agree that this arrangement will terminate on January 1, 2011 unless a subsequent MOU is created to modify the date. Supervisory District No: District 5 (C-64-04-031-2-02)

Supervisor Wilcox said this is a continuation of work begun several years ago in working for better cooperation with the reservations surrounding Phoenix. Previously, a traffic light was installed, this action concerns maintenance and other things will follow.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

47. CONTRACT WITH HDR CONSTRUCTION CONTROL CORPORATION FOR CONSTRUCTION ADMINISTRATION SERVICES

Approve Contract No. 2009-023 with HDR Construction Control Corporation for Construction Administration Services for El Mirage Road from Bell Road to Deer Valley, MCDOT MAG ALCP (ALCP) Project No. T103. This contract shall be effective for a period of 330 days following Board of Supervisors approval or until the expenditure of \$1,146,334.59, whichever occurs first.

This project consists of approximately 3.8 miles of new roadway construction on El Mirage Road from Bell Road to Deer Valley Drive with approximately 0.2 miles on the Interfaith and Beardsley Road connector roads. The project also includes approximately 1.1 miles of widening on Bell Road, existing El Mirage Road, Deer Valley Drive and the Deer Valley Drive access road. The improvements also involve extension of the existing box culvert at the Bell Road intersection, two new box culverts for McMicken Wash and storm drain construction, signing and pavement markings, and traffic signals.

This project will be procured in accordance with the mandate set forth in the Maricopa County Procurement Code, Article 5, and Section 504. Supervisory District No 4. (C-91-10-051-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

48. AMENDMENT TO THE FY 2009-10 FIVE-YEAR CAPITAL IMPROVEMENT PLAN

In accordance with A.R.S. Section 42-17106(B), authorize the following amendment to the FY 2009-10 Five-Year Capital Improvement Plan:

- Create a new project in the General Fund County Improvement Fund (445) titled "West Court 2nd, 3rd and 4th Floor Remodel", Function Class "WCFR", in the amount of \$3,988,794 in Year 1 and authorize the Public Works Facilities Management Division to proceed with this project.

Approve a fund transfer in the amount of \$3,988,794 from the General Fund (100) to the General Fund County Improvement Fund (445).

This requires an increase of \$3,988,794 to the FY 2009-10 Non-Departmental (470) General Fund (100) Non-recurring/Non-Project expenditure appropriation and an increase of \$3,988,794 to the FY 2009-10 General Fund County Improvement Fund (445) Non-Recurring/Non-Project (0001) revenue appropriation, with offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non-Recurring/Non-Project (0001).

Also, approve an expenditure appropriation adjustment decreasing Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) Contingency (4711) in the amount of \$3,988,794 and increasing General Fund County Improvement Fund (445) West Court 2nd, 3rd and 4th Floor Remodel (WCFR) in the amount of \$3,988,794.

In accordance with A.R.S. Section 42-17106(B), authorize the following major maintenance project:

- Create a new Major Maintenance project titled "SEF Relocation to Phoenix" Function Class SEFP, in the amount of \$411,206 in Year 1.

Approve an expenditure appropriation adjustment decreasing Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) Contingency (4711) in the amount of \$411,206 and increasing Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) Major Maintenance (4732) Major Maintenance line in the amount of \$411,206.

These actions will have a county-wide impact of zero. (C-91-10-059-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

49. ADMINISTRATIVE CORRECTION TO CONTRACT WITH TRANSYSTEMS CORPORATION

Approve an administrative correction to the action taken on September 16, 2009 to (C-91-10-032-5-00) Contract 2007-053 between Maricopa County Department of Transportation and TranSystems Corporation for Bridge Rehabilitation of the Old US-80 Bridge at Gila River (Gillespie Dam Bridge). This Administrative Correction is necessary to correct the contract completion date from 300 days to 365 days after the Notice to Proceed has been issued. All other terms and conditions remain unchanged. (C-91-10-032-5-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox

Absent: Wilson

50. BID AND AWARD FOR SUN CITY MILL & RESURFACE, PHASE 4 (MRS4)

Approve the solicitation of bids for the Maricopa County Department of Transportation's Sun City Mill & Resurface Project, Phase 4 (MRS4), Pavement Preservation (PAVE) Project Number T175. Award the contract to the lowest responsive responsible bidder, provided that the lowest responsive responsible bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of edge-milling the existing road surfaces and replacing with new asphalt-rubber concrete pavement. The new pavement surfacing is necessary due to the deteriorating pavement on these roads and will extend the useful performance life of these roads. Resurfacing and delineating these roads will provide structurally sound, smooth-riding, and safe roadways for the traveling public.

The project consists of approximately 155 lane miles (1,277,000 square yards) of various arterial and local roads, detailed in the included ROAD LIST. Supervisory District No. 4 (C-91-10-057-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

51. BID AND AWARD FOR CONCRETE VALLEY GUTTER PROJECT MAINTENANCE PLAN FY2010

Approve the solicitation of bids for the Maricopa County Department of Transportation's Concrete Valley Gutter Project Maintenance Plan FY2010, Job Number 30082019; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the Engineer's cost estimate by more than ten percent.

This project consists of constructing Concrete Valley Gutters in intersections and inverted crown roads. This is maintenance to seal the intersections and roads from deteriorating under flowing water, extending their useful performance life.

The project consists of approximately (65,000 square feet) of valley gutters, detailed in the included road list. Supervisory District No. 4 (C-91-10-052-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

52. ROAD ABANDONMENT (ROAD FILE NO. AB-229)

Pursuant to A.R.S. §28-6709 and 28-7202, adopt Resolution AB-229 to abandon a portion of Jomax Road alignment in the vicinity of 164th Street and Jomax Road which was conveyed to Maricopa County by means of a Special Warranty Deed on June 6th, 1962 and recorded by the Maricopa County Recorder as Docket 4170, Page 221. Supervisory District No. 2. (C-91-10-053-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

53. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF BUCKEYE

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: Jackrabbit Trail and McDowell Road, in accordance with Buckeye Ordinance No. 29-04. (Supervisor District No. 4) (C-91-10-056-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

54. NEW TRAFFIC CONTROLS ON 363RD AVENUE AND 387TH AVENUE

Approve new traffic controls (Stop Signs) on unincorporated right of way at the following location.

All Traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of: 363RD Avenue from 100 feet north of Buckeye Road to 100 feet south of Van Buren Street.

All Traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of: 387th Avenue from 100 Feet north of Indian School Road to 100 feet north of Orangewood Avenue.

This agenda item is the result of an in-house Traffic Engineering Study being conducted to install (Stops) on county roadways. Supervisory District No. 4 (C-91-10-055-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

55. NEW TRAFFIC CONTROLS ON 363RD AVENUE, 387TH AVENUE AND 411TH AVENUE

Approve new traffic controls (Speed Limits) on unincorporated right-of-way at the following locations:

A 45 MPH SPEED LIMIT ZONE on 363rd Avenue from Buckeye Road to Van Buren Street.

A 50 MPH SPEED LIMIT ZONE on 387th Avenue from Indian School Road to Orangewood Avenue.

A 45 MPH SPEED LIMIT ZONE on 411th Avenue from Interstate 10 north to Bethany Home Road.

This agenda item is the result of completion of MCDOT's Safety Improvement Projects to install speeds in areas that have changed from rural to urban. Supervisory District No. 4 (C-91-10-048-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

56. TRAFFIC CONTROL CHANGE ON 83RD AVENUE

Approve a change in traffic controls (Speed Limits) on unincorporated right-of-way at the following location:

A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE) on 83rd Avenue from Northern Avenue to Olive Avenue. (This partially rescinds the 50 MPH speed limit zone dated February 23, 1987).

This agenda item is the result of completion of MCDOT's Safety Improvement Project to reduce speeds in areas that have changed from rural to urban. Supervisory District No. 4 (C-91-10-047-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

57. TRANSFER OF EXPENDITURE AUTHORITY FOR CONTINGENCY SPACE PLANNING

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$653,452 from FY 2009-10 Non-Departmental (470) General Fund (100) Non-Recurring/Non-Project (0001) Unreserved Contingency (4711) to FY 2009-10 Public Works Facilities Management Division (910) General Fund (100) Non-Recurring/Non-Project (0001). This action approves one-time contingency funds for Public Works Facilities Management to complete a countywide space planning study.

In an effort to maximize County owned space, a space utilization study of all County properties is being requested so that we are maximizing the use of our current facilities and lessen the need for leased space. This request will fund a space utilization study based on the latest changes in County staffing levels and to identify future vacant areas.

The Public Works Facilities Management Division will utilize this funding for direct expenditures related to the study. This may include current staff time, new contract position(s) or outside consultants dedicated to this study. The Public Works Facilities Management Division will absorb as much of this project's cost within its current General Fund budget prior to expending these contingency funds. (C-91-10-060-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

BOARD OF SUPERVISORS

Clerk of the Board

58. REAPPOINTMENT TO THE EMERGENCY FOOD AND SHELTER NATIONAL LOCAL BOARD

Approve the reappointment of Margarita Leyvas, Assistant Director of the Maricopa County Human Services Department, Community Services Division as the Maricopa County representative on the Emergency Food and Shelter Local Board (EFSP). Ms. Leyvas will serve a one-year term or for the duration of Phase 28 (EFSP program year). The term of appointment will be effective as of November 1, 2009 through October 31, 2010 or until the current Phase is officially ended at which time a new Board will be seated. (C-06-10-102-9-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox

Absent: Wilson

59. APPOINTMENT TO THE STATE BOARD OF EQUALIZATION

Approve the appointment of Steve Haig to the State Board of Equalization as nominated by Supervisorial District 4. Mr. Haig will fill the Robert Koehler vacancy effective as of the date of Board approval through December 31, 2012. (C-06-10-129-9-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

60. ANNEXATION PETITIONS FOR THE FIRE DISTRICT OF SUN CITY WEST

Pursuant to A.R.S. §48-262, receive the report of the County Assessor regarding the Fire District of Sun City West annexation and declare the results of their validity and sufficiency review of the petitions. (C-06-10-130-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Clerk of the Board

61. PETITIONS FOR PROPOSED LONGMANOR IRRIGATION WATER DELIVERY DISTRICT

1) Pursuant to A.R.S. §48-3423, accept the petitions for the proposed Longmanor Irrigation Water Delivery District filed as they have been determined to be signed by a majority of the owners of the acreage within the proposed district.

2) Fix the amount of probable expenses which will be incurred in the organization of the district at \$125 and require a bond for not less than twice the amount so fixed of \$250 be filed with the Clerk to guarantee repayment to the County of such expenses.

3) Upon approval of the bond, set a hearing for the petitions to be held at 9:00 a.m., November 18, 2009 and order the Clerk of the Board to publish the petition and notice twice in a newspaper and post copies within the district at conspicuous places.

At the hearing on November 18th, any land owner within the proposed district may appear and object to the organization thereof or to the proposed boundaries thereof or to the inclusion of his land therein. The Board will hear and consider all comments in favor and against the organization of the district and decide whether to approve or reject the organization of the district with the boundaries proposed in the petition or with modified boundaries. (Supervisorial District 3) (C-06-10-001-7-02)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Planning and Development

62. ZONING CASES

Schedule Planning and Development public hearings on zoning cases and other matters for the November 4, 2009 meeting. (List will be on file with the Clerk's office) (C-44-10-032-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Public Works

- 63.** Set a public hearing to declare the following roads into the county highway system for 9:00 .m., Wednesday, November 18, 2009.

a. ROAD FILE NO. A-424

Road File No. A-424 Open and Declare said alignment also known as 125th Avenue from Ocotillo Road to Glendale Avenue lying within Supervisor District No. 4. (C-91-10-050-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

b. ROAD FILE NO. 5831

Road File No. 5831 to Open and Declare the following described alignments into the County Transportation System.

All streets consistent with the rights-of-way, as depicted in Adobe Corners, a subdivision as Shown in Book 467 of Maps, Page 03, M.C.R.; containing 1.5200 acres.

General Vicinity: Ellsworth Road and East Ellis Street.

This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 2 (C-91-10-054-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

c. ROAD FILE NO. 5832

Road File No. 5832 to Open and Declare the following described alignments into the County Transportation System. (C-91-10-049-M-00)

(Clerk's Note: The description was inadvertently omitted from this road file so it will be readvertised and placed on the Board's December 16, 2009, formal meeting agenda.)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox

Absent: Wilson

d. ROAD FILE NO. 5833

Road File No. 5833 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Camelback Road and Perryville Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). (C-91-10-045-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

e. ROAD FILE NO. 5834

Road File No. 5834 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 123rd Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-10-044-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

CONSENT AGENDA

Clerk of the Board

64. ASRS CLAIMS

Pursuant to A.R.S. §38-711 et., authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. Claims presented are on file in the Clerk of the Board's Office. (C-06-10-140-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

65. DUPLICATE WARRANTS

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-10-141-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

66. MARKET RANGES

Pursuant to A.R.S. §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-10-136-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

67. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held May 4, 2009; June 1, 2009; June 17, 2009; July 22, 2009; August 5, 2009; September 23, 2009. (C-06-10-117-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

68. PRECINCT COMMITTEEMEN

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-148-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

69. SECURED TAX ROLL CORRECTIONS

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-10-143-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

70. SETTLEMENT OF PROPERTY TAX CASES

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated October 21, 2009. List is on file in the Clerk of the Board's Office. (C-06-10-144-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

71. STALE DATED WARRANTS

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are

legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-10-142-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

72. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-43-10-005-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

BOARD OF SUPERVISORS ADDENDUM

Finance

A-1. AMENDMENT TO LICENSE AGREEMENT WITH DONOR NETWORK OF ARIZONA FOR USE OF THE TISSUE RECOVERY ROOM

Approve and authorize the Chairman to execute, a renewal of License and Fee Agreement No. MC10170 with Donor Network of Arizona (Licensee) for non-exclusive use of the 400 square foot Tissue Recovery Room in the Forensic Science Center located at 701 W. Jefferson Street, Phoenix, AZ 85007.

The renewal term for the subject license agreement will commence on October 31, 2009, and terminate on October 30, 2011. The license agreement may be terminated by either party upon a thirty-day written notice. The Licensee will reimburse Licensor \$350.00 for each use of the facility regardless of the tissue recovery results. (C-18-08-018-1-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

A-2. AMENDMENT TO LEASE AGREEMENT WITH BRIDGING AZ FURNITURE BANK

Approve and authorize the Chairman to execute, Amendment Number 1 to Lease Agreement No. MC10182 with Bridging AZ Furniture Bank (Bridging), an Arizona Not-For-Profit organization, for use of approximately 10,000 square feet of warehouse space at the County-owned facility located at 1920 S. Lewis, Mesa, AZ.

Bridging AZ will temporally utilize the facility "as is" at a use fee of \$1.00 per year. Bridging AZ will pay operational costs associated with its use of the subject space. This Amendment Number 1 will extend the term of the lease for one year with no option to renew. (C-18-09-013-1-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Air Quality

A-3. GRANT FROM MARICOPA ASSOCIATION OF GOVERNMENTS TO FUND CONTINUOUS AIR QUALITY MONITORS

Authorize an Agreement between Maricopa Association of Governments and Maricopa County through the Air Quality Department for grant funds, in the amount of \$98,552.46. The purpose of this grant is to purchase and install three continuous air quality monitors as replacements for older monitors which only sample 1 in every 6 days. This Agreement will be subject to review and approval by Legal.

Indirect costs are not applicable as expenditures will be for capital items. The agreement requires a match in the amount of \$5,617.49 in cash or in-kind. Maricopa County Air Quality will provide in-kind matching funds.

Approve a FY 2009-10 revenue and expenditure appropriation increase to the Air Quality Department (850) Air Quality Grant Fund (503) Non-Recurring/Non-Project (0001) in the amount of \$98,552.46. This adjustment will allow the Air Quality Department to have sufficient budget authority to meet the requirements of this grant.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S 42-17105. (C-85-10-013-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

Board of Supervisors

A-4. RESOLUTION REGARDING ALTERNATIVE DISPUTE RESOLUTION PROCEDURES CONCERNING DISPUTES BETWEEN COUNTY OFFICERS

Adopt a resolution providing a dispute resolution process and budget allocation for costs related to litigation between County Officers. (C-06-10-151-6-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

A-5. APPROVE WAIVING ATTORNEY/CLIENT PRIVILEGE

Approve waiving attorney/client privilege only for the release of the memo captioned, "Legal Analysis of Proposed Appointments of Special Deputy County Attorneys." This waiver is limited to the release of the memo only and not to any related communications or discussions. (C-06-10-152-M-00)

Supervisor Stapley recused himself for Addendum item A-5, turned the gavel over to Supervisor Brock and left the meeting.

Supervisor Kunasek commented before the motion that this motion is for a very limited release of the legal analysis of the proposed appointments of the special deputy county attorneys.

Motion to approve by Supervisor Kunasek, Seconded by Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox
Recused: Stapley
Absent: Wilson

A copy of the "Legal Analysis of Proposed Appointments of Special Deputy County Attorneys" is on file in the Clerk of the Board's Office.

MEETING RECESSED

Acting Chairman Stapley returned to the meeting and then recessed the Board of Supervisors to convene as the Board of Directors of various special districts.

MEETING RECONVENED

Acting Chairman Stapley reconvened the Board of Supervisors.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

73. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

Blue Crowley, citizen, asked the County to take over the Citizen's Transportation Oversight Commission (CTOC), believing there would be a more regional outlook. He announced the Wickenburg Bluegrass Festival in November, inviting residents to attend. He also spoke on CTOC and the irregularities he feels need to be adjusted in posting or canceling meetings adequately.

Sylvia Tesh, Mesa Leadership Program, thanked the Board for their gracious reception at this meeting. She indicated she and her group members that are present had learned a great deal about County government through their attendance.

74. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Wilcox reported on the County's first Air Quality Conference held the previous day. She expressed surprise and pleasure that more than 400 people had attended the conference and felt Mr. Odle's presentation had been very well received.

Supervisor Brock agreed that the Conference was a huge success and recognized the hard work that had made it something to be proud of. He said doctors had attended and there was a mix of business, academic and the private sector present.

The Board of Supervisors will now consider matters related to Planning and Zoning

PLANNING AND ZONING AGENDA

David Smith and Paul Golab left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Outside Counsel, came forward to present the following Planning and Zoning case.

CONSENT AGENDA

1. CONDOMINIUM FINAL PLAT - SUN LAKES UNIT 47

Case Number: S2007014
Supervisory District: 1
Applicant: B&R Engineering, Inc.
Location: Northwest corner of Riggs Road & Dobson Road
Request: Condominium Final Plat for 148 dwelling units in R-5 zoning district
Commission Action: N/A
(C-44-10-033-7-00)

Motion to approve by Supervisor Brock, Seconded by Supervisor Kunasek
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned at 9:45 a.m.

Don Stapley, Acting Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board

IMPROVEMENT DISTRICT AGENDA

The Board of Directors of the Improvement District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, October 21, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Max Wilson, Chairman, District 4. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

I-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held June 17, 2009; July 22, 2009; August 5, 2009. (C-06-10-118-7-00)

Motion to approve by: Director Kunasek, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Acting Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board

FLOOD CONTROL DISTRICT AGENDA

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, October 21, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Max Wilson, Chairman, District 4. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-10-146-7-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

F-2. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held June 17, 2009; July 22, 2009; and August 5, 2009. (C-06-10-119-7-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

F-3. FLOOD CONTROL DISTRICT VS. PALOMA INVESTMENT LIMITED PARTNERSHIP

Authorize the Flood Control District legal counsel to file an appeal in the matter of Flood Control District of Maricopa County vs. Paloma Investment Limited Partnership et. al (CIV 1997-007081). This matter was discussed in Executive Session on June 1, 2009. (C-69-10-034-M-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

F-4. CONTRACT WITH HOSKIN RYAN CONSULTANTS, INC. FOR PROFESSIONAL ENGINEERING SERVICES

Award Contract FCD 2009C012, White Tank Flood Retarding Structure (FRS) No. 3 Outfall Channel to Hoskin Ryan Consultants, Inc. for professional engineering services. This contract is a lump sum of \$1,390,034.37, plus a not-to-exceed amount of \$440,673.74 for optional items. These optional items include additional floodplain delineation, native plant inventory, fissure analysis, hydrology, roadway design, potholes, structural design, utility relocation, and post-design services. The total contract amount including optional items will not exceed \$1,830,708.11. The contract performance is 365 calendar days effective the

date of the Notice to Proceed.

This is a qualification-based selection in accordance with Maricopa County Procurement Code, Article 5, Paragraph 504.

The District developed the Loop 303 Corridor/White tanks Area Drainage Master Plan Update (ADMP) and examined a series of alternatives associated with the rehabilitation of White Tanks FRS No. 4. Project recommendations included an outlet channel from White Tanks FRS 3 to FRS 4. The project conveys discharges from FRS 3 to FRS 4 along Jackrabbit Trail and collects tributary drainage from the west side of Jackrabbit Trail. This agenda item is located in Supervisory District 4. (C-69-10-035-5-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

FLOOD CONTROL DISTRICT ADDENDUM

FA-1. SETTLEMENT AGREEMENT BETWEEN SHARON MCGUIRE V. FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

Approve the settlement agreement in the matter of Sharon McGuire v. Flood Control District of Maricopa County (Cause No. 2:09-CV-00423-ROS) as discussed in executive session on October 5, 2009 in the amount set forth in the agreement: \$3,600. (C-69-10-033-S-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Acting Chairman of the Board

Fran McCarroll, Clerk of the Board

LIBRARY DISTRICT AGENDA

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, October 21, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Max Wilson, Chairman, District 4. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

L-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held June 17, 2009; July 22, 2009 and August 5, 2009. (C-06-10-120-7-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

L-2. DONATIONS

In accordance with County Policy A2805, accept the monthly donation report received from Library District for August and September 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-137-7-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Acting Chairman of the Board

Fran McCarroll, Clerk of the Board

STADIUM DISTRICT AGENDA

The Board of Directors of the Stadium District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, October 21, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Max Wilson, Chairman, District 4. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

S-1. LETTER AGREEMENT WITH THE KOHLER COMPANY AND AZPB FM LIMITED PARTNERSHIP

Approve, and authorize Stadium District Director Julie Schweigert to execute, a letter agreement among the District, Kohler Company and AZPB FM Limited Partnership, the Facility Manager for Chase Field, that provides for Kohler to install low water usage bathroom fixtures in certain bathrooms on the suite level at Chase Field in conjunction with the "Green Build" District Event hosted by the US Green Building Council to be held on November 11, 2009. At the option of the Facility Manager, the fixtures may remain in place following the event or Kohler will remove the fixtures and reinstall the original fixtures. Neither the District nor the Facility Manager undertake any financial obligation under the agreement; Kohler is responsible for all costs arising under the letter agreement. (C-68-10-001-3-00)

Motion to approve by: Director Kunasek, Seconded by: Director Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox
Absent: Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Acting Chairman of the Board

Fran McCarroll, Clerk of the Board